

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
FIRST SPECIAL SESSION
LEGISLATIVE BILL 7

Introduced by Carlson, 38.

Read first time November 04, 2009

Committee: Agriculture

A BILL

1 FOR AN ACT relating to agriculture; to amend section 2-2634,
2 Reissue Revised Statutes of Nebraska; to change pesticide
3 registration and renewal fees; to repeal the original
4 section; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 2-2634, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 2-2634 (1) As a condition to registration or renewal of
4 registration as required by sections 2-2628 to 2-2633, an applicant
5 shall pay to the department a fee of two hundred dollars for each
6 pesticide to be registered that is not classified as a specialty
7 pesticide by the department and one hundred thirty-five dollars for
8 each pesticide to be registered that is classified as a specialty
9 pesticide by the department, except that the fee may be increased
10 by the director after a public hearing is held outlining the reason
11 for any proposed change in the fee. In no event shall such fee
12 exceed two hundred ten dollars for each pesticide to be registered.
13 All fees collected shall be remitted to the State Treasurer for
14 credit as follows:

15 (a) For a pesticide that is classified as a specialty
16 pesticide:

17 ~~(a) Thirty~~ (i) Thirty-five dollars of each such fee to
18 the Noxious Weed Cash Fund as provided in section 2-958;

19 ~~(b) Sixty~~ (ii) Fifty-five dollars of each such fee to the
20 Buffer Strip Incentive Fund as provided in section 2-5106; and

21 ~~(c) (iii) The remainder of each such fee, for a pesticide~~
22 ~~that is not classified as a specialty pesticide, if any, to~~
23 ~~the Natural Resources Water Quality Fund, and the remainder of~~
24 ~~each such fee for a pesticide that is classified as a specialty~~
25 ~~pesticide, if any, to the Pesticide Administrative Cash Fund; and-~~

1 (b) For a pesticide that is not classified as a specialty
2 pesticide:

3 (i) Thirty-five dollars of each such fee to the Noxious
4 Weed Cash Fund as provided in section 2-958;

5 (ii) Fifty-five dollars of each such fee to the Buffer
6 Strip Incentive Fund as provided in section 2-5106; and

7 (iii) The remainder of each such fee, if any, to the
8 Natural Resources Water Quality Fund.

9 (2) If a person fails to apply for renewal of
10 registration before January 1 of any year, such person, as a
11 condition to renewal, shall pay a late registration fee equal to
12 twenty-five percent of the fee due and owing per month, not to
13 exceed one hundred percent, for each product to be renewed in
14 addition to the renewal fee. The purpose of the late registration
15 fee is to cover the administrative costs associated with collecting
16 fees, and all money collected as a late registration fee shall
17 be remitted to the State Treasurer for credit to the Pesticide
18 Administrative Cash Fund.

19 Sec. 2. Original section 2-2634, Reissue Revised Statutes
20 of Nebraska, is repealed.

21 Sec. 3. Since an emergency exists, this act takes effect
22 when passed and approved according to law.